

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:
SEN. MAGGIE CROTTY

CO-CHAIR:
REP. ANGELO "SKIP" SAVIANO

EXECUTIVE DIRECTOR:
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SEN. PAMELA ALTHOFF
SEN. DON HARMON
SEN. JOHN O. JONES
SEN. DALE A. RIGHTER
SEN. IRA SILVERSTEIN
REP. GREG HARRIS
REP. LOU LANG
REP. DONALD L. MOFFITT
REP. ROSEMARY MULLIGAN
REP. ANDRE' THAPEDI

MINUTES

September 11, 2012

MEETING CALLED TO ORDER

The Joint Committee on Administrative Rules met on September 11, 2012 at 11:00 a.m. in Room 600C of the Michael A. Bilandic Building in Chicago, Illinois.

Co-Chair Saviano called the meeting to order and announced that the policy of the Committee is to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. Other persons are encouraged to submit their comments in writing.

ATTENDANCE ROLL CALL

X Senator Pamela Althoff	X Representative Greg Harris
X Senator Maggie Crotty	X Representative Lou Lang
X Senator Don Harmon	X Representative Donald Moffitt
Senator John O. Jones	Representative Rosemary Mulligan
Senator Dale Righter	X Representative Angelo "Skip" Saviano
X Senator Ira Silverstein	X Representative Andre' Thapedi

APPROVAL OF THE MINUTES OF THE AUGUST 14, 2012 MEETING

Representative Harris moved, seconded by Representative Moffitt, to approve the minutes of the August 14, 2012 meeting. The motion passed unanimously.

CERTIFICATION OF NO OBJECTION

Senator Crotty moved, seconded by Senator Althoff, that the Committee inform the agencies to whose rulemakings the Committee did not vote an Objection or an Extension, or did not remove from the No Objection List, that the Committee considered their respective rulemakings at the monthly meeting and, based upon the Agreements for modification of the rulemakings made by the agencies, no Objections will be issued. The motion passed unanimously. Representative Lang requested to be recorded as voting Present on Tabs 21 and 22.

EXPEDITED CORRECTION

Chief Procurement Officer for the Department of Transportation – Chief Procurement Officer for the Department of Transportation – Contract Procurement (44 Ill. Adm. Code 6; 36 Ill. Reg. 13725)

Representative Harris moved, seconded by Representative Moffitt, that the Committee approve and certify the request of the CPO-DOT for an Expedited Correction of this rulemaking, which was adopted in the 1/6/12 *Illinois Register* (36 Ill. Reg. 230). The effective date of the correction is 12/21/11.

Therefore, the motion passed by a vote of 8-0-1 (Present: Harmon).

AGENCY RESPONSES

Department of Agriculture – Motor Fuel and Petroleum Standards Act (8 Ill. Adm. Code 850; 36 Ill. Reg. 7330) (Emergency)

Due to the appropriateness of the agency's response, no further action.

Pollution Control Board – Clean Construction or Demolition Debris Fill Operations (35 Ill. Adm. Code 1100; 36 Ill. Reg. 2801)

Due to the appropriateness of the agency's response, no further action. Staff will monitor.

Department of Healthcare and Family Services – Medical Assistance Programs (89 Ill. Adm. Code 120; 36 Ill. Reg. 10253) (Emergency), Medical Payment (89 Ill. Adm. Code 140; 36 Ill. Reg. 11329) (Emergency) and Hospital Services (89 Ill. Adm. Code 148; 36 Ill. Reg. 10326) (Emergency)

Due to the appropriateness of the agency's responses, no further action.

Department of Healthcare and Family Services – Medical Payment (89 Ill. Adm. Code 140; 36 Ill. Reg. 11329) (Emergency)

Representative Harris moved, seconded by Senator Althoff, that JCAR, pursuant to Section 5-125 of the Illinois Administrative Procedure Act, withdraw the Suspension against Section 140.442(e)(4) of this emergency rule contingent upon and effective with the Department's adoption of the agreed upon amendments. The Committee originally issued this Suspension at the August 14, 2012 meeting.

The motion passed by a rollcall vote of 9-0-0.

Department of Healthcare and Family Services – Hospital Services (89 Ill. Adm. Code 148; 36 Ill. Reg. 10326) (Emergency)

Senator Silverstein moved, seconded by Representative Moffitt, that JCAR, pursuant to Section 5-125 of the Illinois Administrative Procedure Act, withdraw the Suspension against Section 148.140(b)(1)(F) of this emergency rule contingent upon and effective with the Department's adoption of the agreed upon amendments. The Committee originally issued this Suspension at the August 14, 2012 meeting.

Co-Chair Saviano asked if a representative of HFS was present.

Ms Gia Burtley, HFS Rules Coordinator, represented HFS.

Representative Harris asked Ms Burtley if she was aware that the Department's website continued to list antibiotics in the list of drugs exempt from the requirement for HFS prior approval of more than 4 prescriptions per month.

Ms Burtley responded that she was unaware of that and would be sure that antibiotics are removed from the list.

The motion passed by a rollcall vote of 9-0-0.

OCTOBER MEETING DATE

Co-Chair Saviano announced that the next monthly meeting is scheduled for Tuesday, October 16, 2012, at 11:00 a.m., Room 600C, Michael A. Bilandic Building, Chicago IL.

ADJOURNMENT

Representative Harris moved, seconded by Representative Moffitt, that the meeting stand adjourned. The motion passed unanimously.

Min:1209Sept